

**Document:** IC 13-14-9 Notice

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## **TITLE 327 WATER POLLUTION CONTROL BOARD**

### **FIRST NOTICE OF COMMENT PERIOD**

**#00-266(WPCB)**

## **DEVELOPMENT OF AMENDMENTS TO RULES CONCERNING PUBLIC NOTIFICATION AND NEW RULES CONCERNING PUBLIC NOTIFICATION**

### **PURPOSE OF NOTICE**

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to rules concerning public notification. IDEM seeks comment on the affected citations listed and any other provisions of Title 327 that may be affected by this rulemaking.

**CITATIONS AFFECTED:** 327 IAC 8-2-1; 327 IAC 8-2-2; 327 IAC 8-2-4; 327 IAC 8-2-4.1; 327 IAC 8-2-5.1; 327 IAC 8-2-5.3; 327 IAC 8-2-5.5; 327 IAC 8-2-7; 327 IAC 8-2-8.4; 327 IAC 8-2-10.2; 327 IAC 8-2-13; 327 IAC 8-2-14; 327 IAC 8-2-20; 327 IAC 8-2.1-1; 327 IAC 8-2.1-3; 327 IAC 8-2.1-6; 327 IAC 8-2.1-7; 327 IAC 8-2.1-8; 327 IAC 8-2.1-9; 327 IAC 8-2.1-10; 327 IAC 8-2.1-11; 327 IAC 8-2.1-12; 327 IAC 8-2.1-13; 327 IAC 8-2.1-14; 327 IAC 8-2.1-15.

**AUTHORITY:** IC 13-13-5-1; IC 13-13-5-2; IC 13-18-3-2; IC 13-18-16-8; IC 13-18-16-9.

### **SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING**

On May 4, 2000, U.S. EPA adopted new regulations concerning public notification. Technical corrections to that rule were also published on June 30, 2000. Indiana is required to adopt these revisions and add new sections by May 4, 2002 in order to maintain primacy (primary enforcement authority) for the drinking water regulations.

### **STATUTORY AND REGULATORY REQUIREMENTS**

IC 13-14-8-4 requires the board to consider the following factors in promulgating rules:

- (1) All existing physical conditions and the character of the area affected.
- (2) Past, present, and probable future uses of the area, including the character of the uses of surrounding areas.
- (3) Zoning classifications.
- (4) The nature of the existing air quality or existing water quality, as the case may be.
- (5) Technical feasibility, including the quality conditions that could reasonably be achieved through coordinated control of all factors affecting the quality.
- (6) Economic reasonableness of measuring or reducing any particular type of pollution.
- (7) The right of all persons to an environment sufficiently uncontaminated as not to be injurious to human, plant, animal, or aquatic life or to the reasonable enjoyment of life and property.

### **REQUEST FOR PUBLIC COMMENTS**

At this time, IDEM solicits the following:

- (1) The submission of alternative ways to achieve the purpose of the rule.
- (2) The submission of suggestions for the development of draft rule language.

Mailed comments should be addressed to:

#00-266(WPCB) Public Notification

Barbara Scott

Rules Section Chief

Office of Water Management

Indiana Department of Environmental Management

P.O. Box 6015

Indianapolis, Indiana 46206-6015.

Hand delivered comments will be accepted by the IDEM receptionist on duty at the twelfth floor reception desk, Office of Water

Management, Indiana Government Center-North, 100 North Senate Avenue, Indianapolis, Indiana. Comments may be delivered by facsimile to (317) 232-8406. Please confirm the timely receipt of faxed comments by calling the Office of Water Management Rules Section at (317) 233-8903. Please be advised that electronic transmission of comments is unacceptable.

**COMMENT PERIOD DEADLINE**

Comments must be postmarked or hand delivered by January 2, 2001.

Additional information regarding this action may be obtained from Chris Rousch, Rules Section, Office of Water Management, (317) 233-8669 or (800) 451-6027 (in Indiana).

Matthew C. Rueff  
Assistant Commissioner  
Office of Water Management  
Indiana Department of Environmental Management